

¹ Compact, tit. II, art. XIII, § 7(g).

Furthermore, when seeking reconsideration of a revocation for failure to comply with Regulation No. 58, a carrier must be in compliance with Regulation No. 58 at the time the application is due.² Respondent's replacement endorsement is effective January 26, 2009, instead of November 20, 2008. Under Regulation No. 58-14:

If a carrier's operating authority is suspended under Regulation No. 58-12 and the effective date of a later-filed replacement Endorsement falls after the automatic suspension date, the carrier must verify timely cessation of operations in accordance with Commission Rule No. 28 and corroborate the verification with client statements and/or copies of pertinent business records, as directed by Commission order.


Respondent has yet to file the requisite verification.

In addition, respondent has no effective tariff on file with the Commission as required by Article XI, Section 14, of the Compact.

Therefore, the application for reconsideration shall be denied, and this proceeding shall not be reopened.³

THEREFORE, IT IS ORDERED: That the application for reconsideration is denied without prejudice to respondent's right to reapply for operating authority at a later date.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS CHRISTIE AND BRENNER:



William S. Morrow, Jr.
Executive Director

² See *E.B. Limo. & Transp. Servs., LLC*, No. MP-08-201, Order No. 11,795 (Jan. 13, 2009) (application and endorsement must be filed within 30-day reconsideration period).

³ See *id.* (declining to reopen where carrier not in compliance with Regulation No. 58); see also *Addis Transp., Inc.*, No. MP-07-164, Order No. 11,519 (Aug. 7, 2008) (revoking authority in part for lack of tariff on file with Commission).